C. Remarks

Based on the amendments and remarks to follow, reconsideration of this application and entry of this amendment under Rule 116 is respectfully requested.

In the office action, Claims 36-44 are rejected under 35 USC 101 as being directed to the non-statutory subject matter. Further, the invention is rejected under 35 USC 103(a) as the differences between the subject matter sought to be patented and the prior art are such that it would have been obvious for a person skilled in the art to modify the prior art. Further, Claims 1-35 are rejected under 35 USC 103(a) as being unpatentable over Dunn et al. [US 5,916,302], hereinafter referred to as Dunn and further in view of Schuster [US 6,577,622], hereinafter referred to as Schuster.

Objection to the specification

The Office Action indicated that the title of the invention is not descriptive. By the above amendment, Applicants have amended the title, and respectfully submit that the title as amended is clearly indicative of the invention to which at least some of the claims are directed.

Claim Rejections under 35 USC 101

With respect to rejection of claims 36-44 under 35 USC 101, the office action states that the claims 36-44 are directed to the non-statutory subject matter.

In the above amendment, Applicants have amended Claim 36 to recite "[a] computer program product for use in conjunction with a computer device, the computer program product comprising a computer usable storage medium and a

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computer program mechanism embodied therein that, upon execution by the computer device, enables the computer device to ..."

Applicants respectfully submit that Claim 36, as amended, is statutory as being tangibly embodied in a storage medium and in a manner so as to be executable by a computer/processor.

Claim Rejections under 35 USC 103(a)

With respect to rejection of claims 1-35 under 35 USC 103(a), the office action states that claims 1-35 are unpatentable over Dunn, and further in view of Schuster. Applicants respectfully traverse the rejections.

Dunn teaches a video and voice conferencing system and method in which voice signals and data signals of a multimedia conference session are transmitted over different paths. The voice signals are transmitted over a path totally internal to a PSTN and the data signals are transmitted over a path partially external to the PSTN, such as part of public data network like Internet. The system includes a conference server managed, administered and used internally in the PSTN and linked to the public data network. The conference server further communicates with conference management facilities used within the PSTN. The conference server enables transfer of the data signals in coordination with the voice signals being transferred in a conference session amongst internal conferencing circuits in the PSTN. A conference participant transfers the data to be sent to other participants by first sending the data to the conference server prior to or at the time of the conference session. It is important to note that Dunn teaches using a single conference server. That is, all conference endpoints are connected to the single conference server. Thus, Applicants respectfully submit Dunn cannot teach or suggest a link manager that "selectively assign[s] a first conference server to a first conference endpoint and

a second conference server to a second conference endpoint", as claimed in claim 1.

Schuster also fails to teach the aforementioned claim limitation in claim 1. It is important to note that, in Figs. 10A and 10B and col. 22, line 14 to col. 14, line 8, Schuster teaches the use of a single conference server 710 in a conference. Schuster teaches the use of multiple "connection servers" (e.g., connection servers 237, 238 and 250). However, Applicants respectfully submit "connection servers" are not "conference servers". Thus, Applicants respectfully submit Schuster cannot teach or suggest a link manager that "selectively assign[s] a first conference server to a first conference endpoint and a second conference server to a second conference endpoint", as claimed in claim 1.

Furthermore, Schuster fails to teach a link manager that "communicate[s] second control signals to the selectively assigned conference servers to establish second communication links among the selectively assigned conference servers through which the conference endpoints participating in a same multipoint conference communicate". The undersigned representative has studied Schuster and has not found such teaching or suggestion.

For these reasons, Applicants respectfully submit Dunn and Schuster, in combination or individually, do not teach limitations of claim 1. Accordingly, claim 1 is allowable.

With respect to claim 2-3, the office action indicates that Dunn teaches a conference server that has a first interface that is behind a firewall and a second interface that is in front of the firewall. Applicants respectfully traverse. It appears Dunn teaches that a station can be connected to the conference server via a communication path; and that the data is transmitted between the station and the conference server through a gateway/firewall security element provided on the communication path. The conference server (93) of Dunn does not appear to have an interface behind a firewall at all. Rather, the conference

server (93) of Dunn appears to be connected to the gateway/firewall 115 via the Web 116.

In contrast, as claimed in claim 2, the conference server according to the invention possesses two interfaces separated by a firewall. According to claim 3, the link manager automatically establishes a communication link between a conference endpoint and one of the interfaces depending upon (at least in part) the position of the conference endpoint relative to the firewall. These limitations are not taught or suggested by Dunn's teachings.

According to claim 4, the link manager automatically establishes a communication link between two conference servers depending upon the position of one conference server relative to the firewall of the other conference server. The term "firewall" does not even appear in Schuster. Accordingly, Applicants respectfully submit claim 4 is not taught or suggested by Schuster.

Applicants respectfully submit claims 2-11, which are dependent from claim 1, are allowable as being dependent on an allowable base claim, and, further, are allowable at least for the above reasons.

Claims 12-19

With respect to claim 12, the claimed invention has: (a) multiple conference servers and (b) a link manager that is 'configured to select one of the plurality of conference servers for the conference endpoint in response to [a] request even if an endpoint identification of the endpoint is unknown to the multipoint conferencing system prior to receiving the request.'

Applicants respectfully submit neither Dunn nor Schuster teaches multiple conference servers. Furthermore, this limitation (b) is not found in claims 1-11. But the Office Action did not put forth any explanation why this claim limitation is taught or suggested by Dunn and Schuster, other than that "they are also rejected for the same reasons set forth to rejecting claims 1-11 above." Accordingly, Applicants submit the Office Action has not established prima facie

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obviousness for claim 12, and hence, the rejections with respect to claim 12 and its dependent claims 13-19 must be withdrawn as being improper.

Claims 20-25

With respect to claim 20, the claimed invention has: (a) multiple conference servers and (c) a link manager that is configured to 'set up an impromptu multipoint conference involving the conference endpoints without requiring prior knowledge of an endpoint identification of at least one of the conference endpoints.'

Applicants respectfully submit neither Dunn nor Schuster teaches multiple conference servers. Furthermore, the Office Action indicates that Fig. 11 and col. 14, 31-61 of Schuster teach "a link manager that is configured to set up an impromptu multipoint conference involving conference endpoints without requiring prior knowledge of an endpoint identification of at least one of the conference [endpoints]." Applicant respectfully traverses. Fig. 11 shows that SIP URLs, which can be used to identify a conference endpoint, are present in every entry of Schuster's Address Book. Thus, it could be inferred from such teachings that Schuster's system requires some form of identification of an endpoint prior to the initiation of a conference.

Accordingly, Applicants submit claims 20-25 are allowable.

Claims 26-30

The Office Action indicates that these claims 26-30 are merely method of operations for the apparatus defined in the claims 1-11, and therefore the same rejections would apply. Applicants respectfully traverse. System and its method of operations could be independent inventions. As such, Applicants respectfully request that these claims be examined on their own merits.

In particular, Applicants respectfully submit Dunn and Schuster do not teach or suggest, in combination or individually, multiple conference servers and

"communicating at least a second control signal to the first conference server and the second conference server to establish a communication link between the conference servers through which data captured at the conference endpoint is sent to the one or more participating endpoints." Applicants respectfully submit these limitations, *inter alia*, are not taught or suggested by Dunn or Schuster, in combination or otherwise.

Accordingly, Applicants submit claims 26-30 are allowable.

Claims 31-35

The Office Action indicates that these claims 31-35 are merely the means plus functions for the apparatus defined in the claims 1-11, and therefore the same rejections would apply. Applicants respectfully traverse. Claims 31-35 and claims 1-11 could have different scopes. even if they contain similar claim limitations. As such, Applicants respectfully request that these claims be examined on their own merits.

In particular, claim 31 includes a "means for communicating ... a first control signal to a second one of the conference servers to establish a server-endpoint between the conference endpoint and the second conference server" and a "means for communicating ... a second control signal to the first conference server and the second conference server to establish a communication link between the conference servers through which data captured at the conference endpoint is sent to the one or more participating endpoints." Applicants respectfully submit these limitations, *inter alia*, are not taught or suggested by Dunn or Schuster, in combination or otherwise.

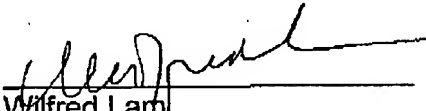Accordingly, Applicants submit claims 31-35 are allowable.

Conclusion

In conclusion, the Applicant respectfully submit that the teachings of Dunn and Schuster are substantially different from the present invention as their teachings do not provide <u>a distributed multipoint conferencing system – one which includes a plurality of conference servers distributed across the network and a plurality of conference endpoints distributed across the network.</u> The distributed multipoint conferencing system includes a link manager automatically establishing connections between conference servers or between a conference server and conference endpoints for establishing a conference. Thus, the subject matter of the present invention on the whole is different from Dunn and Schuster taken in combination. Hence, the applicants respectfully disagree that it would be obvious to a person of ordinary skill in the art to produce the present invention by combining Dunn's teachings with Schuster's.

In view of the present amendments, it is submitted that the claims are patentably distinct over the cited art and that all the rejections to the claims have been overcome and notice to that effect is earnestly solicited. Reconsideration and reexamination of the present application is requested. If the Examiner has any questions regarding this matter, the Examiner is requested to telephone Applicant's attorney at the numbers listed below prior to issuing a further Office Action.

By action taken here, Applicant in no way intends to or causes any surrender of any subject matter or range of equivalents beyond that strictly required to patentably distinguish the claimed invention as a whole over the prior art. Applicant expressly reserves without dedication all such subject matter and equivalents that may fall in the range between Applicant's literal claim recitations and combinations taught or suggested by the prior art.

If the Examiner believes that a telephone conference would expedite prosecution and allowance of this application, please telephone the undersigned at 650-969-8300.

Respectfully submitted,

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Date: <u>August 8, 2007</u>

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